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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FIFTH APPELLATE DISTRICT**

In re D.E., a Person Coming Under the  
Juvenile Court Law.

FRESNO COUNTY DEPARTMENT OF  
CHILDREN & FAMILY SERVICES,

Plaintiff and Respondent,

v.

C.A.,

Defendant and Appellant.

F058204

(Super. Ct. No. 01CEJ300202-5 )

**OPINION**

**THE COURT**\*

APPEAL from orders of the Superior Court of Fresno County. Jane Cardoza,  
Judge.

Karen Jean Dodd, under appointment by the Court of Appeal, for Defendant and  
Appellant.

Kevin Briggs, County Counsel, and William G. Smith, Deputy County Counsel,  
for Plaintiff and Respondent.

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\* Before Wiseman, Acting P.J., Gomes, J., and Kane, J.

C.A. (mother) appeals from a 2009 order terminating her parental rights (Welf. & Inst. Code, § 366.26) to her daughter, D., who has been a dependent child of the Fresno County Superior Court since 2001. Mother joins in arguments raised by the child's father in his appeal from the termination order (*In re D.E.*; F058205). He claimed the court erred, dating back to 2001, because there was no on-the-record inquiry of either parent regarding the Indian Child Welfare Act (IWCA; 25 U.S.C. § 1901 et seq.). He also challenged the court's finding at the section 366.26 hearing that it was likely D. would be adopted. On review, we affirmed. The father forfeited his first argument by failing to raise it when respondent Fresno County Department of Children and Family Services first affirmatively stated in 2001 that ICWA did not apply. As to father's challenge to the adoptability finding, we conclude there was substantial evidence to support the finding. Because mother has not raised any independent claim of error, we conclude the court properly terminated her parental rights.

#### **DISPOSITION**

The order terminating parental rights is affirmed.